

REMARKS

Claims 1-13 are pending in this application. Claims 1-13 stand rejected. By this Amendment, claims 1, 4, 6, 9, 11, and 13 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1-3, 6-8, 11, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art ("AAPA") in view of U.S. Patent No. 6,130,881 ("Stiller"). Applicant respectfully traverses this rejection.

Among the limitations of independent claims 1, 6, 11, and 12 not present in the prior art is a relay server being adjacent to one of the routers and that the relay server does not comprise a portion of the path between the server and the information request source.

In Applicant's admitted prior art, when information is requested by a terminal, a web server provides the information to the terminal via routers comprising a network between the terminal and the web server. A cache server may be a portion of the network and may store requested information. However, in the prior art, when the cache server updates its cache, the act of pre-fetching the data restricts the usable bandwidth on the network for other traffic. As such, according to one embodiment of the invention, a relay server is included in the network adjacent to a router, such that the relay server receives the pre-fetched or other data, temporarily stores the data and retransmits the same data downstream. In this manner, bandwidth on the network is efficiently utilized so that the pre-fetching does not interfere with normal network traffic.

In Stiller, a router is disclosed that receives a transmission including data and destination or routing information. The data and routing data is stored in the node in a storage memory for processing and/or retransmission. If the routing designates the present node, the message is passed to the application layer of the node and, if the routing information is for another node, the message data is read out of memory and retransmitted from the node.

The hardware configuration for each node discussed in Stiller is no different than the routers disclosed and claimed by Applicant. There is no disclosure in either Applicant's admitted prior art or Stiller for a relay server adjacent to one of the routers wherein the relay server does not comprise a portion of the path between a server and the information request source where the relay server receives the information from upstream, temporarily stores and transmits the same to downstream. As such, Applicant respectfully submits that claims 1, 6, 11, and 12 are allowable over the cited references.

Claims 4, 5, 9, 10, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Stiller and further in view of U.S. Patent No. 6,067,565 ("Horvitz"). Applicant respectfully traverses this rejection.

Horvitz was not added to cure the deficiencies in AAPA or Stiller discussed above but to disclose additional limitations which, even if it were to show, do not cure the deficiencies in Stiller and the AAPA discussed above. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

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In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By

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